

29.08.2023
Sl. No.29(DL)
srm

C.O. No. 1437 of 2023
Sri Manas Ghosh & Anr.
Versus
Sri Sunandan Bose & Ors.

Mr. Manas Dasgupta,
Mr. Gourav Das

...for the Petitioners.

The petitioners, who are parties to a partition suit pray for expeditious disposal of Title Suit No.38 of 2014, which is pending before the learned Civil Judge (Senior Division), 8th Court at Alipore, South 24-Parganas.

Attention of this Court has been drawn by Mr. Dasgupta, learned Advocate for the petitioners to the orders passed by the learned court below. It appears that the preliminary decree has not yet been passed and the judgment was reserved on July 20, 2022. Order dated July 29, 2022 indicates that at the time of delivery of judgment, the learned court required certain clarification on the point of law. Thereafter several dates were fixed for clarification on the point of law.

It is submitted by Mr. Dasgupta that the hearing on the point of law continued for a few days, but the preliminary decree has not yet been passed.

The petitioners pray for expeditious disposal of the title suit.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Considering the background of the case, the revisional application is disposed of by directing the learned court below to deliver the preliminary decree within a period of two weeks from the next date fixed, independently and strictly in accordance with law.

This Court has not gone into the merits of the suit.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)